



REGIONAL DISTRICT OF NORTH OKANAGAN

BOARD of DIRECTORS MEETING

Wednesday, February 6, 2013

4:00 pm

PUBLIC HEARING AGENDA

A. CALL PUBLIC HEARING TO ORDER

B. INTRODUCTION OF BYLAW

1. Electoral Area "F" Official Community Plan Amendment Bylaw No. 2548 and Rezoning Bylaw No. 2549 (Watson c/o Monaghan)

- Staff report dated January 22, 2013

Bylaw 2548, 2012 – Zoning Text Amendment

Purpose: A bylaw to amend Electoral Area "F" Official Community Plan Designation Bylaw No. 1934, 2004 and amendments thereto

Bylaw 2549, 2012 – Zoning Text Amendment

Purpose: A bylaw to rezone lands and amend the Zoning Map attached to the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 to change a zone designation

C. PUBLIC PRESENTATIONS

D. CLOSE PUBLIC HEARING



**REGIONAL DISTRICT
of
NORTH OKANAGAN**

REPORT

File No.: 11-0692-F-OR

TO: Board of Directors
FROM: Planning Department
DATE: January 22, 2013
SUBJECT: Electoral Area "F" Official Community Plan Amendment Bylaw No. 2548 and Rezoning Bylaw No. 2549 (Watson c/o Monaghan)

RECOMMENDATION:

That following consideration of comments received at the Public Hearing, Electoral Area "F" Official Community Plan Amendment Bylaw No. 2548, 2012 which proposes to amend the land use designation of the property legally described Lot 1, Sec 27, Twp 18, R9, W6M, KDYD, Plan 30041 and located at 52 Twin Lakes Road, Electoral Area "F" from Country Residential to Small Holdings be given Third Reading; and further,

That following consideration of comments received at the Public Hearing, Rezoning Bylaw No. 2549, 2012 which proposes to rezone the property legally described as Lot 1, Sec 27, Twp 18, R9, W6M, KDYD, Plan 30041 and located at 52 Twin Lakes Road, Electoral Area "F" from the Country Residential Zone (C.R) to the Small Holding Zone (S.H) be given Third Reading.

BACKGROUND:

The applicant is proposing to amend the Official Community Plan (OCP) land use designation of the property located at 52 Twin Lakes Road from Country Residential to Small Holdings and to amend the zoning of the property from the Country Residential Zone (C.R) to the Small Holding Zone (S.H). If approved, the owners are proposing to subdivide the property by creating two new 1.0 ha lots.

The application was supported in principle by the Board of Directors on June 20, 2012 and staff were directed to prepare an OCP Amendment Bylaw for First Reading. OCP Amendment Bylaw No. 2548, 2012 was then granted First Reading on July 18, 2012 and was forwarded to affected agencies and First Nations for review and comment. At the Regular Meeting of December 5, 2012, the Board of Directors gave Second Reading to OCP Amendment Bylaw No. 2548, 2012, First and Second Readings to Rezoning Bylaw No. 2549, 2012 and forwarded the Bylaws to a Public Hearing.

In response to a question raised at the December 5, 2012 Board of Directors meeting, there are two existing wells on the subject property. According to the Hydrologists Report dated October 30, 2012 prepared by Kala Geosciences Ltd. the drilled well is located near the existing residence and a dug well is located near the middle of the property. The drilled well has a capacity of 2 US gal/min, however a yield for the dug well was not noted. Information available to the Hydrologist indicated most of the wells within the immediate area produced at least 1 US gal/min.

The applicant has submitted a Development Notification Certificate which confirms that on December 24, 2012 two Development Notices were posted on the subject property in accordance with the

*Regional District of North Okanagan Development Application Procedures and Administrative Fees
Bylaw No. 2315, 2008.*

The Public Hearing for the application and associated Bylaws have been advertised in the local newspapers and the adjacent land owners have been notified by letter of the Public Hearing, all in accordance with Regional District bylaws and the provisions of the *Local Government Act*.

The Ministry of Transportation and Infrastructure is required to endorse the Rezoning Bylaw prior to the Bylaw being Adopted.

As there are no conditions that are required to be met prior to Third Reading of Bylaw Nos. 2548 and 2549, it is recommended that upon consideration of comments received at the Public Hearing, that Bylaw Nos. 2548 and 2549 be given Third Reading and that Bylaw No. 2549 be forwarded to the Ministry of Transportation and Infrastructure for endorsement. After Bylaw No. 2549 has been granted approval of the Ministry of Transportation and Infrastructure, both of the Bylaws can be considered for Final Adoption at a future meeting of the Board of Directors.

SUMMARY:

It is recommended that Electoral Area "F" OCP Amendment Bylaw No. 2548 and Rezoning Bylaw No. 2549 be considered for Third Reading and that the Rezoning Bylaw being forwarded to the Ministry of Transportation and Infrastructure for endorsement prior to Adoption. The Bylaws propose to redesignate and rezone the subject property from Country Residential to Small Holdings.


Submitted by:



Jennifer deGroot, B.Sc.
Planning Assistant

Approved For Inclusion:

Endorsed by:



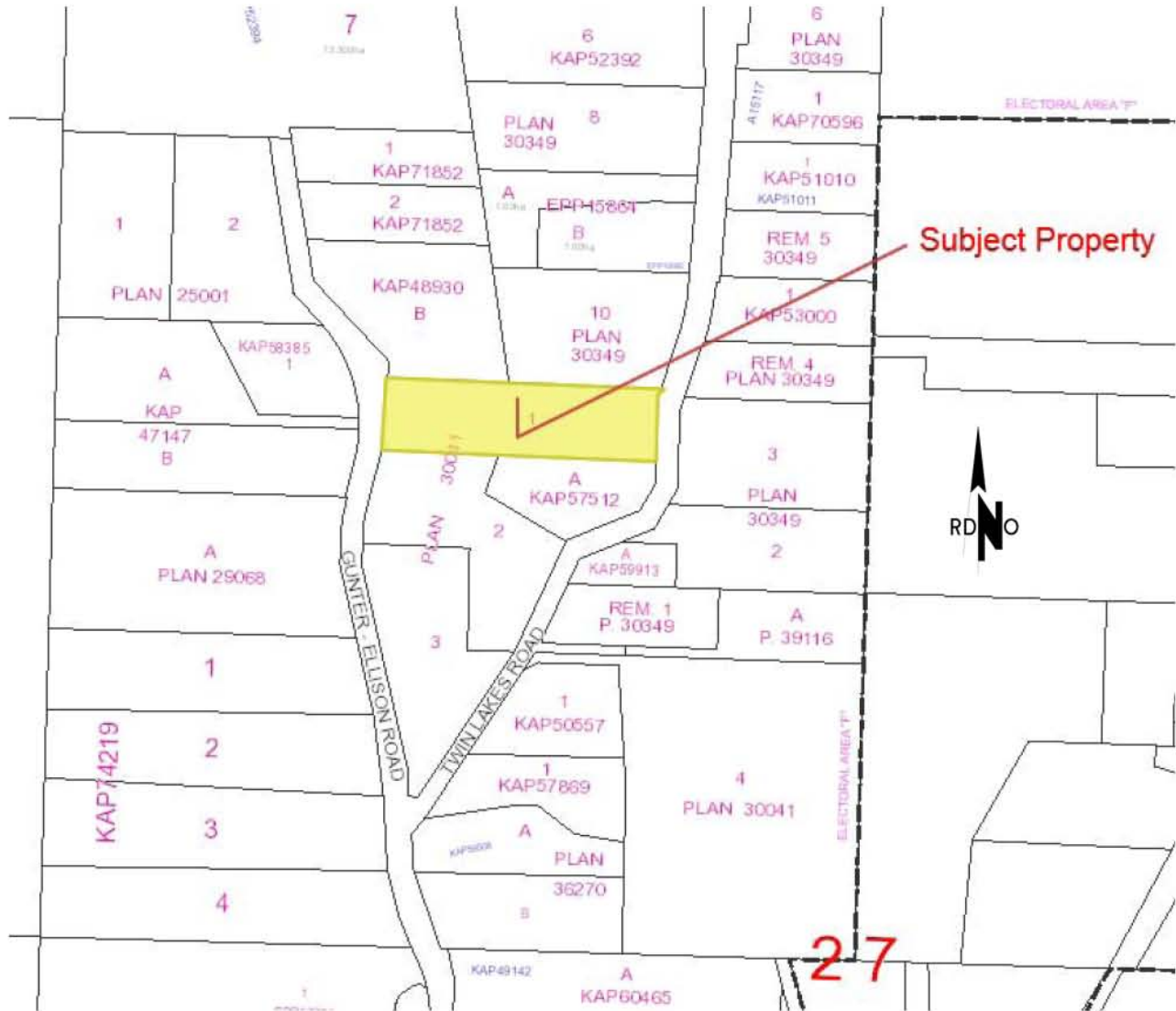
Rob Smailes, MCIP
General Manager, Planning and Building



Trafford Hall, Administrator

ELECTORAL AREA "F" OCP/REZONING APPLICATION SUBJECT PROPERTY MAP

File: 11-0692-F-OR
Applicant: Roderick & Joanne Watson c/o Brian Monaghan
Location: 52 Twin Lakes Road





LOT B
PLAN KAP48930

LOT 10
PLAN 30349

PROPOSED ROAD DEDICATION
TO BE CONFIRMED

PROPOSED LOT
1.0 Ho.±

PROPOSED PROPERTY

REM. LOT 1
PLAN 30041
#52 TWIN LAKES ROAD
1.0 Ho.±

PROPOSED ROAD DEDICATION
TO BE CONFIRMED

Rem LOT 2
PLAN 30041

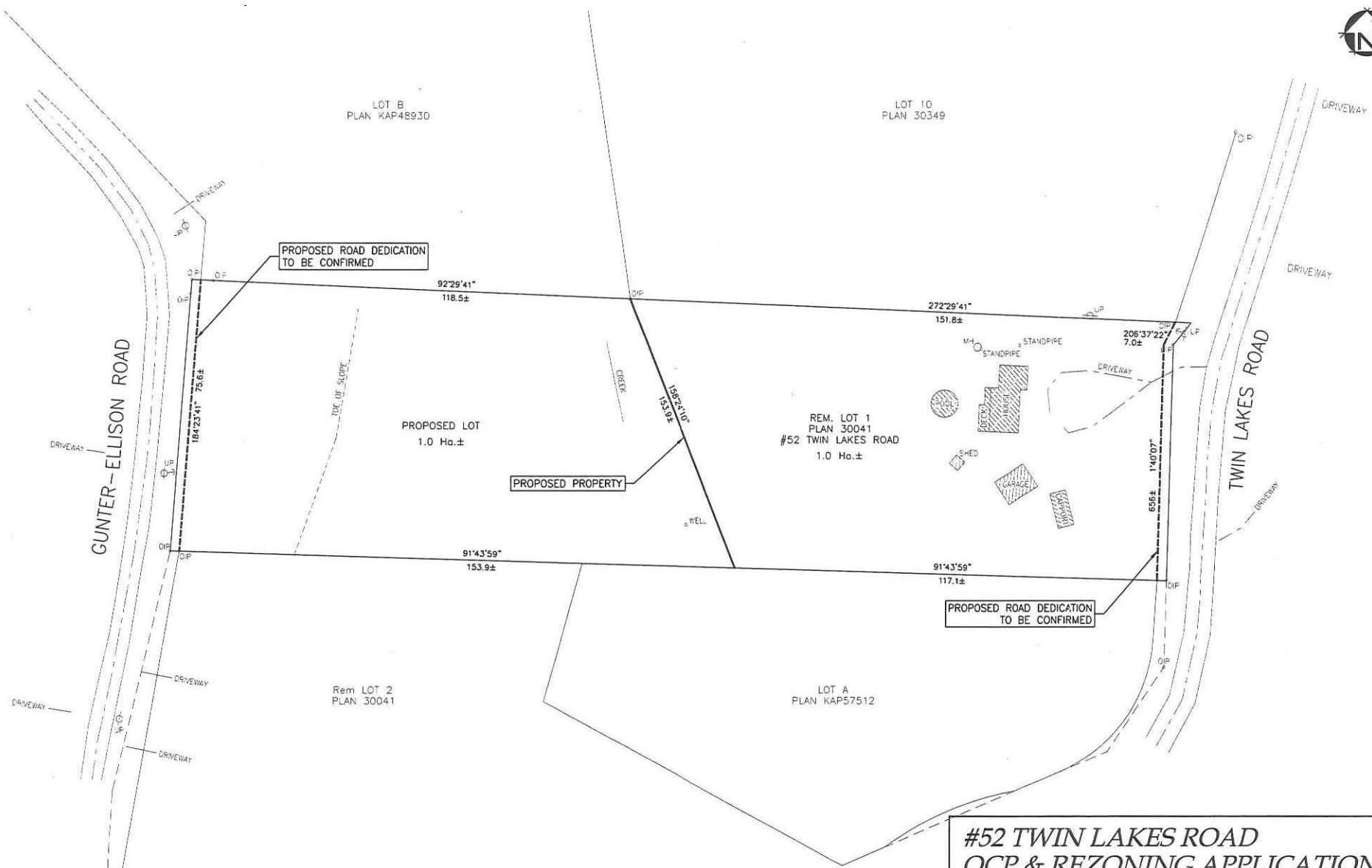
LOT A
PLAN KAP57512

GUNTER-ELLISON ROAD

TWIN LAKES ROAD

#52 TWIN LAKES ROAD
OCP & REZONING APPLICATION
NOV. 18, 2011
FUTURE DEVELOPMENT PLAN

SCALE 1:1000



REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2548

A bylaw to amend *Electoral Area "F" Official Community Plan Designation Bylaw No. 1934, 2004* and amendments thereto

WHEREAS pursuant to Section 876 [*Authority to adopt a bylaw*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, the Board of the Regional District of North Okanagan may, by Bylaw, adopt one or more official community plans;

AND WHEREAS the Board has enacted the "*Electoral Area "F" Official Community Plan Designation Bylaw No. 1934, 2004*" and amendments thereto to provide a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan;

AND WHEREAS, pursuant to Section 895 [*Development approval procedures*] of the *Local Government Act*, the Board must, by bylaw, define procedures under which an owner of land may apply for an amendment to an Official Community Plan and must consider every application for an amendment to the plan;

AND WHEREAS the Board has enacted the "*Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2315, 2008*" and amendments thereto to establish procedures to amend an Official Community Plan, a Zoning Bylaw, or a Rural Land Use Bylaw, or to issue a Permit:

AND WHEREAS the Board is desirable and expedient to amend "*Electoral Area "F" Official Community Plan Designation Bylaw No. 1934, 2004*" and amendments thereto.

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, enacts as follows:

GENERAL

1. This Bylaw may be cited as "**Electoral Area "F" Official Community Plan Amendment Bylaw No. 2548, 2012**".
2. The Official Community Plan marked Schedule "B", attached to and forming part of the *Electoral Area "F" Official Community Plan Designation Bylaw No. 1934, 2004* and amendments thereto is amended by changing the designation of the property legally described as Lot 1, Sec 27, Twp 18, R9, W6M, KDYD, Plan 30041 and located at 52 Twin Lakes Road, Electoral Area "F", from **Country Residential** to **Small Holdings**.

Read a First time

this 18th day of July, 2012

Bylaw **2548** considered in conjunction with the
Regional District Financial Plan and Waste Management Plan

this 18th day of July, 2012

Read a Second time

this 5th day of December, 2012

Advertised on

this 30th day of January, 2013, and

this 1st day of February, 2013

Public Hearing held pursuant to the provisions of
Section 890 of the *Local Government Act* on

this 6th day of February, 2013

Read a THIRD Time

this day of , 2013

ADOPTED

this day of , 2013

Chair

Corporate Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2549

A bylaw to rezone lands and amend the Zoning Map attached to the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 to change a zone designation

WHEREAS pursuant to Section 903 [Zoning bylaws] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, the Board of the Regional District of North Okanagan may, by Bylaw, divide the whole or part of the Regional District into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS the Board has created zones, named each zone, established boundaries for these zones and regulated uses within those zones by Bylaw No. 1888, being the "*Regional District of North Okanagan Zoning Bylaw No. 1888, 2003*" and amendments thereto;

AND WHEREAS, pursuant to Section 895 [*Development approval procedures*] of the *Local Government Act*, the Board must, by bylaw, define procedures under which an owner of land may apply for an amendment to a Zoning Bylaw and must consider every application for an amendment to the bylaw;

AND WHEREAS the Board has enacted the "*Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2315, 2008 and amendments thereto*" to establish procedures to amend an Official Community Plan, a Zoning Bylaw, or a Rural Land Use Bylaw, or to issue a Permit:

AND WHEREAS the Board has received an application to rezone property;

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, enacts as follows:

GENERAL

1. This Bylaw may be cited as "**Rezoning Bylaw No. 2549, 2012**".
2. That the property legally described as Lot 1, Sec 27, Twp 18, R9, W6M, KDYD, Plan 30041 and located at 52 Twin Lakes Road, Electoral Area 'F', be rezoned from the **Country Residential Zone [C.R]** to the **Small Holding Zone [S.H]**.
3. That the Zoning Map, being Schedule "A" to *Zoning Bylaw No. 1888, 2003* be amended accordingly.

Read a First and Second time

this 5th day of December, 2012

Advertised on this 30th day of January, 2013, and
this 1st day of February, 2013

Public Hearing held pursuant to the provisions of
Section 890 of the *Local Government Act* on this 6th day of February, 2013

Read a THIRD Time this day of , 2013

**APPROVED by Ministry of
Transportation & Infrastructure**
(Transportation Act, Sec. 52(3)) this day of , 2013

ADOPTED this day of , 2013

Chair

Corporate Officer